

Remarks

In response to the Office Action dated October 12, 2006, Applicants respectfully request reconsideration based on the above claim amendment and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance

Claims 6-8, 23, and 25-30 were pending. Claims 6 and 25 have been amended while claims 31 and 32 have been added.

Interview Summary

The undersigned participated in a telephone interview with the Examiner on January 10, 2007. During the interview, deficiencies in the Yun reference were discussed in relation to subject matter of the present application. Namely, it was discussed that the system of Yun does not utilize instructions from a remote location to change parameter settings at a set top box that affect the provisioning of a service to the end user of the set top box.

Objections

Claim 28 has been objected to due to its dependence upon claim 29. Without conceding to the proposition that claim 28 cannot depend from claim 29, Applicants have amended claim 28 to depend from claim 25. The objection may be withdrawn.

102 Rejections

Claims 6, 25-27, and 20 stand rejected under 35 USC 102(e) as being anticipated by Yun (US Pat 6,915,531). Applicants respectfully traverse these rejections to the extent they apply to the currently pending claims.

Claims 6 and 25 include similar recitations regarding the parameter settings of the set top box and the instruction sent to the set top box. As a representative example, claim 6 recites [a] method for communicating with a remote set top box (STB) that provides a service to end users comprising receiving at a first location remote from the STB a first item of information related to parameter settings associated with the STB from the STB, the parameter settings affecting the provisioning of the service to the end user. Claim 6 further recites "... communicating an instruction to change at least one of the parameter

settings affecting the provisioning of the service to the end user from the first location remote from the STB to the STB. Yun fails to disclose these recitations.

Yun describes the head end requesting system state information, the set top box providing the system state information to the head end, the head end then requesting more detailed information regarding a defective sub-system (see for example, col. 5, lines 31-47). It appears that the Office Action relies on the request for more detailed information about a defective sub-system to be an instruction to the set top box regarding the parameter settings specified in the system state information. However, an instruction to a set top box to provide more detailed system state information to the head end is not an instruction to a set top box to change a parameter setting that affects the provisioning of the service to the end user.

Yun fails to disclose an instruction as claimed that causes a change to a parameter setting that affects the service to the end user such that Yun fails to account for all of the recitations of claims 6 and 25. Accordingly, claims 6 and 25 are allowable over Yun for at least these reasons. Dependent claims 7, 8, 23, and 26-32 depend from allowable base claims and are also allowable for at least the same reasons.

103 Rejections

Claims 7 and 26 are rejected as being unpatentable over Yun in view of Nobakt (US Pat 7,111,051). Claims 8 and 28 are rejected as being unpatentable over Yun in view of Moroney (US Pat 6,532,593). Claims 23 and 29 are rejected as being unpatentable over Yun in view of Official Notice. Applicants respectfully traverse these rejections. As stated above, each of these dependent claims depend from an allowable base claim. Furthermore, Nobakt, Moroney, and the Official Notice fail to account for the deficiencies in Yun as discussed above such that the purported combinations of references with Yun also fail to account for the recitations of claims 6 and 25.

Conclusion

Applicants assert that the application including claims 6-8, 23, and 25-32 is now in condition for allowance. Applicants request reconsideration in view of the

amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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